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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 APR 14 AM 8:4

In re the Application of:

J. Stuart Cumming

Serial No.: 09/943,910

Filed: August 31, 2001

For: INTRAOCULAR LENS WITH
FIXATED HAPTICS

Group Art Unit: 3738

Examiner: Kamrin Landrem

#201 Ref Rr
Refund
06-09-04

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

On February 6, 2004, Applicant mailed a response to the Patent & Trademark Office in response to the Office Action dated November 18, 2003. The response was filed well-before the three month due date of February 18, 2004. Enclosed is a copy of the cover sheet of the Office Action and copy of the return postcard showing the date the Response was received in the PTO.

CERTIFICATE OF MAILING - (37 C.F.R. §1.8)

I hereby certify that I have a reasonable basis to expect that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 6, 2004
Date of Deposit
DOCSOC1:149468.1

Jodie Davis
Name of Person Mailing Paper

Jodie Davis
Signature of Person Mailing Paper

However, Counsel, Orrick, Herrington & Sutcliffe LLP's Deposit Account No. 150665 was erroneously charged on or about February 17, 2004 in the amount of \$210.00 for a two month extension of time.

The undersigned respectfully requests a credit in the amount of \$210.00 as the amendment was filed timely. Please credit the refund to Deposit Account No. 150665.

Respectfully submitted,

Orrick, Herrington & Sutcliffe LLP

Dated: April 6, 2004

By: 

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